

made available for assistance for the countries of Central America, Haiti, and the Dominican Republic only to combat drug trafficking and related violence and organized crime, and for judicial reform, anti-corruption, and rule of law activities: *Provided*, That of the funds appropriated under the heading "Economic Support Fund", \$40,000,000 shall be made available through the United States Agency for International Development for an Economic and Social Development Fund for Central America: *Provided further*, That of the funds made available pursuant to this section, \$5,000,000 shall be made available for assistance for Haiti and \$5,000,000 shall be made available for assistance for the Dominican Republic: *Provided further*, That of the funds made available pursuant to this section that are available for assistance for Guatemala, not less than \$1,000,000 shall be made available for a United States contribution to the International Commission Against Impunity in Guatemala: *Provided further*, That none of the funds shall be made available for budget support or as cash payments: *Provided further*, That, with the exception of the first and third provisos in this section, none of the funds shall be available for obligation until the Secretary of State determines and reports to the Committees on Appropriations that vetting procedures are in place to ensure that members and units of the military and police forces of the countries of Central America, Haiti and the Dominican Republic that receive assistance pursuant to this section have not been involved in human rights violations or corrupt acts.

(b) **ALLOCATION OF FUNDS.**—Twenty-five percent of the funds made available by subchapter A for assistance for the countries of Central America, Haiti and the Dominican Republic under the heading "International Narcotics Control and Law Enforcement" may be obligated only after the Secretary of State determines and reports to the Committees on Appropriations that the government of such country is—

(1) establishing a police complaints commission with authority and independence to receive complaints and carry out effective investigations;

(2) implementing reforms to improve the capacity and ensure the independence of the judiciary; and

(3) suspending, prosecuting and punishing members of the military and police forces who have been credibly alleged to have committed violations of human rights and corrupt acts.

(c) **REPORT.**—The report required in subsection (b) shall include actions taken with respect to each requirement and the cases or issues brought to the attention of the Secretary for which the response or action taken has been inadequate.

(d) **NOTIFICATION.**—Funds made available for assistance for the countries of Central America, Haiti and the Dominican Republic in subchapter A shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

(e) **SPENDING PLAN.**—Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a detailed spending plan for funds appropriated or otherwise made available for the countries of Central America, Haiti and the Dominican Republic in subchapter A, which shall include a strategy for combating drug trafficking and related violence and organized crime, judicial reform, preventing corruption, and strengthening the rule of law, with concrete goals, actions to be taken, budget proposals and anticipated results.

(f) **CONSULTATION.**—Not later than 90 days after the date of enactment of this Act and every 120 days thereafter until September 30, 2010, the Secretary of State shall consult with internationally recognized human rights organizations, and human rights organizations in the countries of Central America, Haiti and the Dominican Republic receiving assistance pursuant to this section, on progress in meeting the requirements described in subsection (b).

(g) **DEFINITION.**—For the purposes of this section, the term "countries of Central America" means Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama.

#### TECHNICAL PROVISIONS

**SEC. 1407. (a) ADMINISTRATIVE EXPENSES.**—Of the funds appropriated or otherwise made available under the heading "Economic Support Fund" by title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110-161), up to \$7,800,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development for alternative development programs in the Andean region of South America. These funds may be used to reimburse funds appropriated under the heading "Operating Expenses of the United States Agency for International Development" for obligations incurred for the purposes provided under this section prior to enactment of this Act.

(b) **AUTHORITY.**—Funds appropriated or otherwise made available by title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110-161) under the heading "Economic Support Fund" that are available for a competitively awarded grant for nuclear security initiatives relating to North Korea shall be made available notwithstanding any other provision of law.

(c) **EXTENSION OF AUTHORITY.**—Not more than \$1,350,000 of the funds appropriated or otherwise made available under the heading "Foreign Military Financing Program" by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110-161) that were previously transferred to and merged with "Diplomatic and Consular Programs" may be made available for any purposes authorized for that account, of which up to \$500,000 shall be made available to increase the capacity of the United States Embassy in Mexico City to vet members and units of Mexican military and police forces that receive assistance made available by this Act and to monitor the uses of such assistance.

(d) **REIMBURSEMENTS.**—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall include the provision of sufficient funds to fully reimburse the United States Agency for International Development for the administrative costs, including the cost of direct hire personnel, incurred in implementing and managing the programs and activities under such transfer or allocation. Such funds transferred or allocated to the United States Agency for International Development for administrative costs shall be transferred to and merged with "Operating Expenses of the United States Agency for International Development".

(e) **EXCEPTION.**—Section 10002 of title X of this Act shall not apply to this section.

(f) **SPENDING AUTHORITY.**—Funds made available by this chapter may be expended notwithstanding section 699K of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110-161).

#### BUYING POWER MAINTENANCE ACCOUNT (INCLUDING TRANSFER OF FUNDS)

**SEC. 1408. (a)** Of the funds appropriated under the heading "Diplomatic and Consular Programs" and allocated by section 3810 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110-28), \$26,000,000 shall be transferred to and merged with funds in the "Buying Power Maintenance Account": *Provided*, That of the funds made available by this chapter up to an additional \$74,000,000 may be transferred to and merged with the "Buying Power Maintenance Account", subject to the regular notification procedures of the Committees on Appropriations and in accordance with the procedures in section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706). Any funds transferred pursuant to this section shall be available, without fiscal year limitation, pursuant to section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696).

(b) Section 24(b)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by amending subparagraph (D) to read as follows:

"(D) The authorities contained in this paragraph may be exercised only with respect to funds appropriated or otherwise made available after fiscal year 2008."

#### SERBIA

**SEC. 1409. (a)** Of the funds made available for assistance for Serbia under the heading "Assistance for Eastern Europe and the Baltic States" by title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110-161), an amount equivalent to the costs of damage to the United States Embassy in Belgrade, Serbia, as estimated by the Secretary of State, resulting from the February 21, 2008 attack on such Embassy, shall be transferred to, and merged with, funds provided under the heading "Embassy Security, Construction, and Maintenance" to be used for necessary repairs or future construction.

(b) The requirements of subsection (a) shall not apply if the Secretary of State certifies to the Committees on Appropriations that the Government of Serbia has provided full compensation to the Department of State for damages to the United States Embassy in Belgrade, Serbia resulting from the February 21, 2008 attack on such Embassy.

(c) Section 10002 of title X of this Act shall not apply to this section.

#### RESCISSIONS

##### (INCLUDING RESCISSIONS)

#### SEC. 1410. (a) WORLD FOOD PROGRAM.—

(1) For an additional amount for a contribution to the World Food Program to assist farmers in countries affected by food shortages to increase crop yields, notwithstanding any other provision of law, \$20,000,000, to remain available until expended.

(2) Of the funds appropriated under the heading "Andean Counterdrug Initiative" in prior acts making appropriations for foreign operations, export financing, and related programs, \$20,000,000 are rescinded.

#### (b) SUDAN.—

(1) For an additional amount for "International Narcotics Control and Law Enforcement", \$10,000,000, for assistance for Sudan to support formed police units, to remain available until September 30, 2009, and subject to prior consultation with the Committees on Appropriations.